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APR 09 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Jung-Chun TSENG

SERIAL NUMBER: 10/042,328

GROUP ART UNIT: 3764

FILED: 01/11/2002

FOR: Transmission for a Swing Exerciser

EXAMINER: DEMILLE, DANTON D

(571) 273-8300

**TRANSMITTAL COVER SHEET FOR PETITION TO REINSTATE
APPLICATION DUE TO FAILURE TO RECEIVE NOTICE OF ALLOWANCE
AND FEE(S) DUE**

Sir:

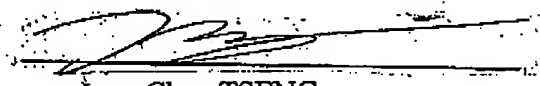
Transmitted herewith for filing are as the follows:

1. A petition to withdraw holding of lapse based on failure to receive Notice of Allowance and Fee(s) Due (2 pages);
2. Statement by local agent (2 pages); and
3. Copies of docket records of Monthly Log Book for Mail Delivery from USPTO to P.O. Box 6-57 (2 pages).

Respectfully submitted,

Date: April 09, 2007

By:


Jung-Chun TSENG

Address all Correspondences to:

Jung-Chun TSENG

P. O. Box No.6-57, Junghe, Taipei 235, Taiwan

TEL:886-2-3233-9068 / FAX: 886-2-3233-7938

E-mail: tipa.com@msa.hinet.net

P.S. The transmission by facsimile containing 7 pages including the cover sheet.

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FOR: Transmission for a Swing Exerciser

EXAMINER: DEMILLE, DANTON D

(571) 273-8300

**PETITION TO REINSTATE APPLICATION DUE TO FAILURE TO
RECEIVE NOTICE OF ALLOWANCE AND FEE(S) DUE**

Dear Sir,

After searching and noting the status (lapsed) of my application through USPTO website-Patent Application Information Retrieval, I, the applicant hereby contend that the Notice of Allowance and Fee(s) Due was never received from USPTO, and petition to reinstate the above referred application is hereby requested.

I also confirm that the correspondence address was in fact at P.O. Box No.6-57, Junghe, Taipei 235, Taiwan, R.O.C. during the time period the Notice of Allowance and Fee(s) Due was supposed to mail in accordance with the mail date July 01, 2003 as indicated in USPTO website-PAIR.

According to the local agent at my correspondence address who would have checked and handled the office communication routinely on every week, a thorough search and investigation of the file jacket and docket records has been done indicating that the Notice of Allowance and Fee(s) Due was not, in fact received from USPTO. In order to support the fact for failure to receive the Notice of Allowance and Fee(s) Due in question, copies of the docket records maintained by the local agent (2 pages) recording mail delivery received from USPTO during the reasonable period after the date of Office Communication are attached herewith for reference.

In view of the evidence adequately supported, grant of the petition and also re-mail of the Notice of Allowance and Fee(s) Due is respectfully requested.

I hereby declare that we have firsthand knowledge and all statement made herein are true and that all statements made on information and belief are believed to be true.

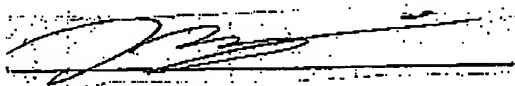
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SIGNED BY:

The applicant of the above referenced patent:

Name: Jung-Chun TSENG

Signature:



Date: April 09, 2007

Address all Correspondences to:

Jung-Chun TSENG

P. O. Box No.6-57, Junghe, Taipei 235, Taiwan

TEL: 886-2-3233-9068

FAX: 886-2-3233-7938

E-mail: tjpa.com@msa.hinet.net

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IN THE APPLICATION OF: Jung-Chun TSENG

SERIAL NUMBER: 10/042,328

GROUP ART UNIT: 3764

FILED: 01/11/2002

FOR: Transmission for a Swing Exerciser

EXAMINER: DEMILLE, DANTON D

(571) 273-8300

STATEMENT BY LOCAL AGENT

Dear Sir,

In view of the status of lapse due to failure response to Notice of Allowance and Fee(s) Due dated July 01, 2003, I Vincent LIN, the local agent who handled the incoming mail for my client Jung-Chun TSENG would like to made the statement as follows:

I hereby confirm that I, Vincent LIN, was at the correspondence address, P.O. Box No.6-57, Junghe, Taipei 235, Taiwan, R.O.C. during the time period the Notice of Allowance and Fee(s) Due was supposed to mail which is indicated as a mail date of "July 01, 2003" in USPTO website-PAIR.

I also declare that I was diligent in checking and handling the incoming mail routinely on every week and the Notice of Allowance and Fee(s) Due in question was not received from USPTO after a thorough search and investigation of the file jacket and the docket records have been done.

In order to support the fact for failure to receive the Notice of Non-Responsive Amendment in question, copies of the docket records maintained by our end (2 pages) recording mail delivery received from USPTO during the reasonable period after the date of Office Communications are attached herewith for reference.

I hereby declare that I have firsthand knowledge and all statement made herein are true and that all statements made on information and belief are believed to be true.

SIGNED BY

The local agent who handled the mail delivery of the Office Communications:

Name: Vincent LIN

Signature: Vincent Lin

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Date: April 09, 2007

Address all Correspondences to:

Jung-Chun TSENG

P. O. Box No.6-57, Junghe, Taipei 235, Taiwan

TEL: 886-2-3233-9068

FAX: 886-2-3233-7938

E-mail: tipa.com@msa.hinet.net

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MONTHLY LOG BOOK FOR MAIL DELIVERY FROM USPTO TO P.O. BOX 6-57

Month/ Year: July 2003

Taiwan Intellectual Property Agent Co., Ltd.

Period weekly	PAT	TM	Delivered by	Date	Released by	Date	Contents	Serial No.	Our Ref. No.	Remarks
23~31/63	X		Vincent	7/9/03	Cheng	7/10/03	absence of Allowance	97165,321	42-1513A 67000007	
"	X		"	"	"	"	Filing Receipt	10/429,007	42-1513A 76030000	
1/10~1/16/03	X		Vincent	7/16/03	Cheng	7/17/03	"	10/425,500	42-1513A 42000136	
"	X		"	"	"	"	"	10/461,088	42-1513A 67000188	
21~27/63	X		Vincent	7/24/03	"	7/30/03	"	10/443,915	42-1513A 42000160	
"	X		"	"	"	"	"	10/440,000	42-1513A 76030126	
"	X		"	"	"	"	notice of Reexamination of Assignment Doc.	10/459,573	42-1513A 67000008	
"	X		"	"	"	"	Filing Receipt	10/435,500	42-1513A 67000138	
28/6~8/16/03	X		Vincent	7/30/03	"	7/31/03	"	10/440,000	42-1513A 42000059	
"	X		"	"	"	"	"	10/440,000	42-1513A 76030000	

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MONTHLY LOG BOOK FOR MAIL DELIVERY FROM USPTO TO P.O. BOX 6-57

Month/ Year: July & August 2003

Taiwan Intellectual Property Agent Co., Ltd.

Period weekly	PAT	TM	Delivered by	Date	Released by	Date	Contents	Serial No.	Our Ref. No.	Remarks
8/1-8/3	X		Went 1/3	8/1	Leat	8/1	Filing Receipt	10/03, 235	12-058A CN0300066	
4	X		1	1	1	1	1	10/03, 235	12-061A CN0300172	
1	X		1	1	1	1	1	10/03, 235	12-061A CN0300172	
8/6-8/16	X		Went 1/6	8/6	1	8/16	1	10/03, 235	12-061A CN0300172	
1	X		1	1	1	1	1	10/03, 235	12-061A CN0300172	
3	X		1	1	1	1	1	10/03, 235	12-061A CN0300172	
4	X		1	1	1	1	1	10/03, 235	12-061A CN0300172	

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